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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Phillip Dan Cook, et al.

Confirmation No.: 3783

Application No.: 09/996,263

Group Art Unit: 1635

Filing Date: November 28, 2001

Examiner: James Schultz

For: SUGAR MODIFIED OLIGONUCLEOTIDES

EXPRESS MAIL LABEL NO: EV325643185US  
DATE OF DEPOSIT: December 19, 2003

EV325643185US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:
  - Certification in Accordance with § 1.97(e) is attached; or
  - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
  - Certification in Accordance with § 1.97(e) is attached;  
or
  - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

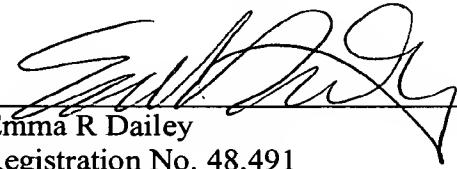
- In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
  - Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No.

, filed

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

- The relevance of those listed references which are not in the English language is as follows:
- There are no listed references which are not in the English language.

Date: December 19, 2003



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DOCKET NO.: ISIS-4943



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Phillip Dan Cook, et al.**

**Confirmation No.: 3783**

**Application No.: 09/996,263**

**Group Art Unit: 1635**

**Filing Date: November 28, 2001**

**Examiner: James Schultz**

**For: SUGAR MODIFIED OLIGONUCLEOTIDES**

**EXPRESS MAIL LABEL NO: EV325643318US  
DATE OF DEPOSIT:**

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Alexandria, VA 22313-1450

Dear Sir:

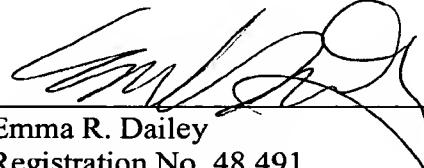
**CERTIFICATION UNDER 37 CFR § 1.97(e)**

In accordance with 37 CFR § 1.97(e), certification is hereby made that:

- Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after

making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Date: December 19, 2003



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Sheet 1 of 2

<b>Form PTO-1449 Modified</b>		Docket No. ISIS-4943	Application No. 09/996,263
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Phillip Dan Cook, et al.	
U.S. Department of Commerce Patent and Trademark Office.		Filing Date November 28, 2001	Group 1635
		Confirmation No. 3783	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
245	Copy of the Partial European Search Report dated October 27, 2003 (EP 03 07 6286)		
246	Manoharan, M., et al., "Chemical Modifications to improve uptake and bioavailability of antisense oligonucleotides," <i>Annals of the New York Academy of Sciences</i> , 1992, 660, XP000198020, 306-309		
247	Czuchajowski, L., et al., "Porphyrinyl-uridines as the first water soluble porphyrinyl-nucleosides," <i>Tetrahedron Letts.</i> , December 16, 1991, 32, 7511-7512		
248	Englisch, U., et al., "Chemically modified oligonucleotides as probes and inhibitors," <i>Angew. Chem. Int. Ed. Engl.</i> , June 1991, 30(6), 613-629		
249	Goodchild, J., et al., "Conjugates of oligonucleotides and modified oligonucleotides: a review of their synthesis and properties," <i>Bioconjugate Chemistry</i> , May/June 1990, 1(3), 165-187		
250	Manoharan, M., et al., "Novel functionalization of the sugar moiety of nucleic acids for multiple labeling in the minor groove," <i>Tetrahedron Letts.</i> , 1991, 32(49), 7171-7174		
251	Tung, C.-H., et al., "Preparation of oligonucleotide-peptide conjugates," <i>Bioconjugate Chem.</i> , 1991, 2, 464-465		
EXAMINER		DATE CONSIDERED	



Sheet 2 of 2

<b>Form PTO-1449 Modified</b>	Docket No. ISIS-4943	Application No. 09/996,263
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)	Applicant Phillip Dan Cook, et al.	
U.S. Department of Commerce Patent and Trademark Office	Filing Date November 28, 2001	Group 1635
	Confirmation No. 3783	

## **U. S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	252	WO 91/10671	07/25/91	PCT		
	253	WO 91/14696	10/03/91	PCT		

**EXAMINER**

**DATE CONSIDERED**